

No. 25-1519

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

J.O.P.; M.A.L.C.; M.E.R.E.; K.A.R.C.; E.D.G.; L.M.Z., on behalf of themselves as
individuals and on behalf of others similarly situated,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF HOMELAND SECURITY; UNITED
STATES CITIZENSHIP AND IMMIGRATION SERVICES; KIKA SCOTT,
Senior Official Performing the duties of the Director, U.S. Citizenship &
Immigration Services; KRISTI NOEM, Secretary of Homeland Security; U. S.
IMMIGRATION & CUSTOMS ENFORCEMENT; TODD LYONS, Acting
Director US Immigration and Customs Enforcement,

Defendants-Appellants.

Appeal from the United States District Court for the District of Maryland
Case No. 8:19-cv-01944-SAG, Judge Stephanie A. Gallagher

PLAINTIFFS' MOTION TO AMEND THE CAPTION

Elaine Herrmann Blais
Kevin J. DeJong
Jesse Lempel
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, MA 02210
Tel.: 617-570-1000

Wendy Wylegala
KIDS IN NEED OF DEFENSE
252 West 37th Street, Suite 1500W
New York, NY 10018
Tel.: 646-970-2913

May 13, 2025

*(additional counsel listed on signature
block)*

Brian T. Burgess
GOODWIN PROCTER LLP
1900 N Street, NW
Washington, DC 20036
Tel.: 202-346-4000
BBurgess@goodwinlaw.com

Michelle N. Mendez
NATIONAL IMMIGRATION PROJECT
1763 Columbia Road NW
Suite 175 #896645
Washington, DC 20036
Tel.: 540-907-1761

Counsel for Plaintiffs-Appellees

Pursuant to the Court's May 8, 2025, Amended Caption Notice, ECF No. 11, Plaintiffs respectfully request that the Court amend the caption in this case to remove named plaintiff M.A.L.C. Plaintiffs have conferred with Defendants who have indicated that they take no position on this motion.

On December 11, 2023, Class Counsel notified the district court that M.A.L.C. had unfortunately passed away, that no claim had extinguished by his death, and that all rights sought to be enforced survived as to the remaining parties. District Court ECF No. 192. PACER reflects that M.A.L.C. was "terminated" as a party on December 14, 2023.

Respectfully submitted,

/s/ Brian T. Burgess

Brian T. Burgess
GOODWIN PROCTER LLP
1900 N Street, NW
Washington, DC 20036
Tel.: 202-346-4000
BBurgess@goodwinlaw.com

Michelle N. Mendez
NATIONAL IMMIGRATION PROJECT
1763 Columbia Road NW
Suite 175 #896645
Washington, DC 20036
Tel.: 540-907-1761

Mary Tanagho Ross
BET TZEDEK LEGAL SERVICES
3250 Wilshire Blvd., #1300
Los Angeles, CA 90010
Phone: 323-939-0506

Counsel for Plaintiffs-Appellees

Elaine Herrmann Blais
Kevin J. DeJong
Jesse Lempel
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, MA 02210
Tel.: 617-570-1000

Wendy Wylegala
KIDS IN NEED OF DEFENSE
252 West 37th Street, Suite 1500W
New York, NY 10018
Tel.: 646-970-2913

Rebecca Scholtz
NATIONAL IMMIGRATION PROJECT
30 S. 10th Street (c/o University of St.
Thomas Legal Services Clinic)
Minneapolis, MN 55403
Tel.: 202-742-4423

Kristen Jackson
PUBLIC COUNSEL
610 South Ardmore Avenue
Los Angeles, CA 90005
Tel.: 213-385-2977

May 13, 2025

CERTIFICATE OF COMPLIANCE

This motion complies with the type volume limitations of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 102 words, excluding the parts exempted by Rule 32(f).

This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-scale requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared using Microsoft Word 2016 in 14-point Times New Roman, a proportionally spaced typeface.

May 13, 2025

/s/ *Brian T. Burgess*
Brian T. Burgess

CERTIFICATE OF SERVICE

I, Brian T. Burgess, hereby certify that on May 13, 2025 I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

May 13, 2025

/s/ *Brian T. Burgess*
Brian T. Burgess